

## REMARKS

Claims 40-43 are pending in the present application. As indicated above, Claim 40 has been amended.

In the Office Action, Claims 40-43 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,966,671 (*Mitchell*) in view of U.S. Patent No. 6,529,713 (*Seymour*), and further in view of U.S. Patent No. 5,915,228 (*Kunihiro*), and under 35 U.S.C. §112, second paragraph, as being indefinite.

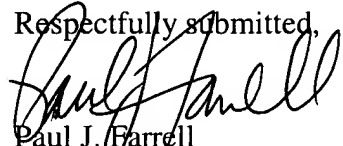
With regard to the rejection of independent Claim 40, the Examiner asserts that *Mitchell* teaches all the elements of Claim 40 except for a watch type portable phone, which is allegedly taught in *Seymour*, and where at least one signal is for inputting digits and characters, which is allegedly taught in *Kunihiro*. It is respectfully submitted that the Examiner is incorrect.

As was previously presented, the method according to the present invention selects a menu item by manipulating a multi-function key with a protrusion adapted to slide in a first direction and a second direction and be pressed in a third direction substantially perpendicular to the first direction, to shift a cursor on a digit-character desired to be input by means of the multi-function key on an LCD on which pre-stored digits or characters are displayed when the selected menu item is a menu for inputting of digits or characters, and to input the desired digit or character. However, *Mitchell* as cited by the Examiner discloses a multifunction rocker switch for accessing direct menu items, confirming selection of a menu item, and toggling a menu item's status (on/off) using a smart button key, an FCN key, and standard telephone keys. Further, the switch in *Mitchell* does not consider the input of digits or characters at all. That is, in *Mitchell*, the multifunction rocker switch is used to access information currently stored in the telephone, not enter new data using the rocker switch as recited in the present application. Further, in *Mitchell*, digits and characters are input through a conventional main keypad. Therefore, because the rocker switch in *Mitchell* is not used to input data, it is respectfully submitted that there would be no motivation to combine *Mitchell* and *Kunihiro*.

Additionally, as indicated above, independent Claim 40 has been amended to be further distinguished from the Examiner's cited art. Accordingly, it is respectfully submitted that Claim 40 is patentably distinct from *Mitchell* in view of *Seymour* and *Kunihiro*, and it is respectfully requested that the rejection of Claim 40 be withdrawn.

Without conceding patentability per se of dependent Claims 41-43, it is respectfully submitted that Claims 41-43 are believed to be allowable by virtue of their dependence on Claim 40.

Accordingly, all of the claims pending in the Application, namely, Claims 40-43, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,  
  
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